

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Richard Shawn Pipkin,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Civil Action No. 3:09-1803-TLW-JRM
	)	
Warden MacDougall Correctional	)	
Institution,	)	
	)	
Respondent.	)	
_____	)	

**ORDER**

Petitioner, Richard Shawn Pipkin (“petitioner”), filed this petition for writ of habeas corpus, *pro se*, pursuant to 28 U.S.C. § 2254. (Doc. #1). The respondent filed a motion for summary judgment on December 7, 2009. (Doc. #17). The petitioner filed a reply to the motion on February 1, 2010. (Doc. #21). The case was referred to United States Magistrate Judge Joseph R. McCrorey pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 (B)(2)(c) and (e), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. #22). In the Report, the Magistrate Judge recommends that the respondent’s motion for summary judgment be granted and that the petition in this case be dismissed without an evidentiary hearing. (Doc. #22). The petitioner filed no objections to the Report. Objections were due on March 2, 2010.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this

Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a careful review of the Report and the record before this Court, the Report of the Magistrate Judge is **ACCEPTED**. (Doc. #22). For the reasons articulated by the Magistrate Judge, the respondent's motion for summary judgment, (Doc. #17), is **GRANTED** and the petition in this case is hereby **DISMISSED**.

The Court has reviewed this petition in accordance with Rule 11 of the Rules Governing Section 2254 Proceedings. The Court concludes that it is not appropriate to issue a certificate of appealability as to the issues raised herein. The petitioner is advised that he may seek a certificate from the Fourth Circuit Court of Appeals under Rule 22 of the Federal Rules of Appellate Procedure.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
United States District Judge

April 26, 2010  
Florence, South Carolina